

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

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|----------------------------------|---|------------------------|
| Richard D. Basham, | : | |
| | : | |
| Plaintiff | : | Case No. 2:06-cv-00944 |
| | : | |
| v. | : | Judge Marbley |
| | : | |
| Jo Anne Barnhart, | : | Magistrate Judge Abel |
| Commissioner of Social Security, | : | |
| | : | |
| Defendant | : | |
| | : | |

ORDER

Plaintiff Richard Basham brings this action under 42 U.S.C. §§405(g) and 1383(c)(3) for review of a final decision of the Commissioner of Social Security denying his application for benefits. This matter is before the Court on Magistrate Judge Abel's October 12, 2007 Report and Recommendation that this case be remanded to clarify the limitations that the vocational expert considered when he was expressing his opinion and to examine any inconsistencies with the DOT.

No objections have been filed to the Report and Recommendation. Upon *de novo* review as required by 28 U.S.C. § 636(b)(1)(B), the Court ADOPTS the Report and Recommendation. This case is hereby REMANDED to the Commissioner for further proceedings consistent with the October 12, 2007 Report and Recommendation.

s/ Algenon L. Marbley
Algenon M. Marbley
United States District Judge